

Applicant:

Serial No.:

Filed: **08/09/01**

Title: **Eukaryotic Cells and Method for Preserving Cells**

Group:

Examiner:

Docket No.: **6829-60462 (800189-10)**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(b))-INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for the purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention described in

- the specification filed herewith, with the title listed above.
- the application identified above.
- the patent identified above.

I have not assigned, granted, conveyed or licensed, and I am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or to any organization who could not qualify as a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

NAME: The Regents of the University of California  
ADDRESS: Office of Technology Transfer  
Office of the President  
University of California  
1111 Franklin Street, 12<sup>th</sup> Floor  
Oakland, California 94607-5200

Individual

Small Business Concern

Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Inventor:

Signature of Inventor

Date: \_\_\_\_\_

Applicant:

Serial No.

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Title: **Eukaryotic Cells and Method for Preserving Cells**

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Docket No. **6829-60462 (800189-10)**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) AND 1.27(d) – NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: **THE REGENTS OF THE UNIVERSITY OF CALIFORNIA**  
ADDRESS OF ORGANIZATION: **Office of Technology Transfer  
Office of the President  
University of California  
1111 Franklin Street, 12<sup>th</sup> Floor  
Oakland, California 94607-5200**

**TYPE OF ORGANIZATION**

- University or other institution of higher learning  
 tax exempt under internal revenue service code [26 USC 501(a) and 601(c)(3)]

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) or (b) of Title 35, United States Code, with regard to the invention described in

- the specification filed herewith, with the title listed above.  
 the application identified above.  
 the patent identified above.

I hereby declare that rights under the contract or law have been conveyed to and remain with the nonprofit organization with regard to the invention identified above.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the Invention is listed below<sup>1</sup> and no rights to the invention are held by person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any other concern which would not qualify as a small business concern under 37 CFR 1.9(e).

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

<sup>1</sup> Separate verified statements are required from each named person, concern or organization having rights to the invention averring their status as small entities (37 CFR 1.27).

Individual Small Business Concern Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28)

I hereby declare that all statements made herein of my own knowledge are and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so are made punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing therein, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: J. Lawrence Fox

TITLE IN ORGANIZATION: Director, Technology Transfer Center

ADDRESS OF PERSON SIGNING: University of California, Davis  
Technology Transfer Center  
508 Second Street, Suite 202  
Davis, California 95616-4692

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

## **DECLARATION FOR PATENT APPLICATION**

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our name.

We believe we are an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### **EUKARYOTIC CELLS AND METHOD FOR PRESERVING CELLS**

the specification of which (check one)

- (X) is attached hereto.  
( ) was filed by an authorized person on my behalf on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_ n/a  
(if applicable)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and so identified, and we have also identified below any foreign application for patent or inventor's certificate on this invention filed by us or our legal representatives or assigns and having a filing date before that of the application on which priority is claimed.

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Priority Claimed (Yes or No)</u>
NONE			

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
09/828,627	April 5, 2001	Pending
09/501,773	February 10, 2000	Abandoned

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorneys and patent agent, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls in respect to this application be directed to COUDERT BROTHERS, 600 Beach Street, 3<sup>rd</sup> Floor, San Francisco, CA 94109, Telephone No. (415) 409-2900:

<u>Attorneys</u>	<u>Reg. No.</u>	<u>Patent Agents</u>	<u>Reg. No.</u>
J. Bruce McCubbrey	20,687	Hal R. Yeager	35,419
Donald L. Bartels	28,282	Steven R. Vosen	45,186
David Schnapf	31,566		
Robert D. Becker	37,778		
Richard A. Dannells, Jr.	22,654		
James W. Drapinski	46,242		
John W. Carpenter	26,447		
Keiichi Nishimura	29,093		
Daniel D. Tagliaferri	43,178		
Jerry G. Wright	20,165		

Full name of first joint inventor: John H. Crowe

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence and Post Office  
Address: 1211 Cottonwood Court  
Davis, CA 95616

Citizenship: United States of America

Full name of second joint inventor: Fern Tablin

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence and Post Office Address: 608 Hubble Street  
Davis, CA 95616

Citizenship: United States of America

Full name of third joint inventor: Willem F. Wolkers

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence and Post Office Address: 920 Cranbrook Court, #18  
Davis, CA 95616

Citizenship: The Netherlands

Full name of fourth joint inventor: Ann E. Oliver

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence and Post Office Address: 506 Hudson Court  
Davis, CA 95616

Citizenship: United States of America

Full name of fifth joint inventor: Naomi J. Walker

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence and Post Office  
Address: 1204 Spruce Lane  
Davis, CA 95616

Citizenship: United States of America

Full name of sixth joint inventor: Thurein Htoo

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence and Post Office \_\_\_\_\_

Address: \_\_\_\_\_

Citizenship: \_\_\_\_\_

Full name of seventh joint inventor: Kamran Jamil

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence and Post Office \_\_\_\_\_

Address: \_\_\_\_\_

Citizenship: \_\_\_\_\_

Address for Correspondence:

COUDERT BROTHERS  
600 Beach Street, 3<sup>rd</sup> Floor  
San Francisco, CA 94109

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